

MACARONI AND NOODLE PRODUCTS

21362. Adulteration of macaroni and egg noodles. U. S. v. 6 Cases, etc. (F. D. C. No. 36473. Sample Nos. 15921-L, 15922-L.)

LIBEL FILED: April 2, 1954, Eastern District of Oklahoma.

ALLEGED SHIPMENT: On or about January 15, 1953, from Shreveport, La.

PRODUCT: 6 cases, each containing 12 12-ounce packages, of macaroni, and 5 cases, each containing 12 10-ounce packages, of egg noodles, at Hugo, Okla.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of insects. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: June 23, 1954. Default decree of condemnation and destruction.

21363. Adulteration and misbranding of egg noodles. U. S. v. Francis W. Brice (F. W. Brice & Son). Plea of guilty. Fine of \$100, plus costs. (F. D. C. No. 35742. Sample Nos. 61402-L, 61403-L.)

INFORMATION FILED: December 21, 1953, District of Nebraska, against Francis W. Brice, trading as F. W. Brice & Son, Omaha, Nebr.

ALLEGED SHIPMENT: On or about April 28 and July 3, 1953, from the State of Nebraska into the State of Iowa.

LABEL, IN PART: (Package) "Brice's Egg Rich Little Dutch Maid * * * Pure Egg Noodles 5½% Egg Solids."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, egg, had been in part omitted from the article; and, Section 402 (b) (2), a product, the total solids of which contained less than 5.5 percent by weight of the solids of egg or egg yolk, had been substituted for egg noodles.

Misbranding, Section 403 (a), the label statement "5½% Egg Solids" was false and misleading since the article contained less than 5½ percent of egg solids; and, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for egg noodles since the total solids of the article contained less than 5.5 percent by weight of the solids of egg or egg yolk.

DISPOSITION: April 8, 1954. The defendant having entered a plea of guilty, the court fined him \$100, plus costs.

21364. Adulteration of spaghetti. U. S. v. 7 Cases * * *. (F. D. C. No. 36681. Sample No. 61216-L.)

LIBEL FILED: March 16, 1954, Northern District of Oklahoma.

ALLEGED SHIPMENT: On or about October 3, 1953, from St. Paul, Minn.

PRODUCT: 7 cases, each containing 24 2-pound boxes, of spaghetti at Vinita, Okla.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 5, 1954. Default decree of condemnation and destruction.